
Appeal Decision

Site visit made on 26 August 2020

by David Troy BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 August 2020

Appeal Ref: APP/A1910/D/19/3243015

Cedar Barn, Half Moon Lane, Pepperstock LU1 4LL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Lane against the decision of Dacorum Borough Council.
 - The application Ref 4/02096/19/FHA, dated 30 August 2019, was refused by notice dated 28 October 2019.
 - The development proposed is garage extension.
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Decision

1. The appeal is allowed and planning permission is granted for a garage extension at Cedar Barn, Half Moon Lane, Pepperstock LU1 4LL in accordance with the terms of the application, Ref 4/02096/19/FHA, dated 30 August 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: LANE/21908/GAR9 and LANE/21908/EXIST.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is whether the proposal would be inappropriate development in the Green Belt.

Reasons

3. The appeal property comprises a detached dwelling set back from the road within a mature spacious landscaped plot. The appeal site forms part of a small cluster of dwellings located off a shared access and driveway on the edge of the village of Pepperstock situated in an open Green Belt location. The proposal entails the construction of a double garage extension that would project out about 7m from the front south-western corner of the property and would be stepped down below the ridge of the main house with a dual pitched roof.
4. Paragraph 145 of the National Planning Policy Framework (the Framework) establishes that, within Green Belts, the construction of new buildings is inappropriate, subject to a number of exceptions. These exceptions include the

extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. This national guidance is to be read in conjunction with Saved Policy 22 of the Dacorum Borough Local Plan 2004 (LP) and Policy CS5 of the Dacorum Core Strategy 2013 (CS) that allow for the limited extensions to existing dwellings within the Green Belt in line with the aims of the Framework.

5. Neither the Framework, the relevant Policies from the CS nor the LP provide further detail on the term 'disproportionate additions'. As a guide, LP Saved Policy 22 indicates that the extended building should not result in an increase of more than 130% of the floor area of the original dwelling. The appellants indicate that the proposed extension would represent around a 28% increase of the floor area of the original dwelling which falls within the locally defined parameter of what is proportionate according to the Council.
6. The appeal property is on a relatively spacious plot and as such the extension would not appear overlarge, relative to the overall plot size. Given the site's location and mature landscaping along the front boundary, the proposal would only be visible over short distances when passing the site. Against this backdrop, the scale, form and siting of the proposed extension, set back and stepped down, would not appear significantly out of place or excessive in relation to the built form of the host property and would have a limited impact on the openness of the Green Belt. The use of matching materials and fenestrations would ensure the proposal would sit relatively unobtrusively against the built form of the main property and would limit any significant adverse impacts on the character and appearance of the area.
7. I have considered the Council's argument regarding the original permission for the appeal property (Ref 4/03038/16/FUL) and the removal of the Permitted Development Rights for extensions. Whilst this may be so, this does not justify withholding permission on these grounds. In any event, each application and appeal must be determined on its individual merits, which I have in this case.
8. Given the above factors, and in light of its overall size, I consider that the proposed garage extension would not be a disproportionate addition and so would fall within one of the exceptions listed in the Framework. Consequently, I conclude that the proposal would not constitute inappropriate development in the Green Belt and would be consistent with CS Policy CS5 and LP Saved Policy 22 and the aims of the Framework.

Conditions

9. Having regard to the Framework, in particular paragraph 55, in addition to the standard time limit condition, I have specified the approved plans as this provides certainty. In order to protect the character and appearance of the area, I have imposed a condition requiring matching external materials.

Conclusion

10. For the reasons given above and having considered all other matters raised, I conclude that the appeal should be allowed.

David Troy

INSPECTOR